

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KENNETH HATLEN,

Plaintiff,

v.

GREG COX et al.,

Defendants.

3:14-cv-318-RCJ-WGC

ORDER

I. DISCUSSION

On August 14, 2014, this Court issued a screening order dismissing Plaintiff's complaint in its entirety without prejudice with leave to file an amended complaint. (ECF No. 5 at 6). This Court ordered Plaintiff to file the amended complaint within 30 days from the date of entry of that order. (*Id.*). This Court stated that if Plaintiff failed to file an amended complaint within 30 days, the Court would dismiss the action with prejudice. (*Id.*).

On September 2, 2014, Plaintiff filed a motion for an extension of time. (ECF No. 7). Plaintiff states that he recently moved from Ely State Prison ("ESP") to High Desert State Prison ("HDSP"). (*Id.* at 1). However, all of Plaintiff's legal documents are being stored at ESP. (*Id.*). Plaintiff requests a 90-day extension to file his amended complaint because he will be detained at HDSP until then. (*Id.*). The Court grants Plaintiff's motion for an extension of time to file his amended complaint. Plaintiff shall file his amended complaint on or before Monday, December 1, 2014.

The Court notes that pursuant to Nevada Local Special Rule 2-2, "[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to

1 comply with this Rule may result in dismissal of the action with prejudice.” Nev. Loc. Special
2 R. 2-2. The Court notes that Plaintiff’s motion for an extension of time states that he is no
3 longer at ESP. However, Plaintiff has not filed a change of address notification with this Court.
4 The Court grants Plaintiff 30 days from the date of entry of this order to file his updated
5 address with this Court. If Plaintiff does not update the Court with his current address within
6 30 days from the date of entry of this order, the Court will dismiss this action with prejudice.

7 **II. CONCLUSION**

8 For the foregoing reasons, IT IS ORDERED that Plaintiff shall file a change of address
9 notification within 30 days from the date of this order.

10 IT IS FURTHER ORDERED that if Plaintiff fails to file an updated address within 30
11 days from the date of entry of this order, the Court will dismiss this action with prejudice.

12 IT IS FURTHER ORDERED that the motion for an extension of time (ECF No. 7) is
13 granted. Plaintiff shall file his amended complaint on or before Monday, December 1, 2014.

14 IT IS FURTHER ORDERED that if Plaintiff fails to file an amended complaint curing the
15 deficiencies outlined in this Court’s August 14, 2014, screening order, the Court shall dismiss
16 this action with prejudice for failure to state a claim.

17 IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order
18 to Plaintiff at both the Ely State Prison and High Desert State Prison.

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20 DATED: This 3rd day of September, 2014.

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23 _____
24 United States Magistrate Judge
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